

# Barrington Zoning Board of Adjustment Zoning Ordinance Variance and Special Exception Application Checklist

Please schedule a meeting with staff before submitting your application.

This checklist has been prepared to assist you in submitting a complete application to the Town of Barrington. At the Pre-Application meeting, staff will check off the items on this list that are required with your submission.

This document constitutes a public disclosure under RSA Chapter 91 – A, Access to Governmental Records and Meetings.

	Date_	26/2	011p Case No. 114-42-GR-16-ZBAVariance			
			SUDIE CHURCHILL Mailing Address 30 Old PISCATAQUA Road			
	Phone	603-9	69-1882 Email JJBSZ@hotmail.com DURHAM NH			
			03824			
			PART I – GENERAL REQUIREMENTS			
			All Graphics shall be to Scale and Dimensioned			
	Descri	Description of Documents Required for Complete Application. No application shall be accepted without all items marked below.				
	Rea'd	Rec'd				
-			1. Zoning Board of Adjustment Application Checklist (this form)			
			2. ZBA General Information (Article(s) and Section(s) of Ordinance)			
?			3. Appeal and Decision			
			4. Fees - \$150.00 Application □ \$ 75.00 Legal Notice □ \$ 7.00 per US Post Office Certified Letter □			
			5. Completed Project Application Form  XVariance □ Special Exception □ Appeal			
)			<ol> <li>Notarized Letter of Authorization (from property owner(s) if property owner did not sign the application form)</li> </ol>			
_			7. Project Narrative In the project application USE OFFICE			

Page 1 of 6 Revised 07/01/2013

2			8. HOA Approval (if applicable) N/A
			9. Context or Locus Map (Show Surrounding Zoning Districts)
			<ol> <li>Existing Conditions Site Plan or Recorded Subdivision Plan to include well and septic location (may be found at Strafford County Registry of Deeds).</li> </ol>
			11. Existing Conditions Photo Exhibit (See instruction page for submitting photos) Up to four photos may be shown per 8 ½" X 11" page size a. Show all existing structures on site
			12. List of Certified Abutters (Include Applicant and all licensed professionals, i.e., engineer, architect (land surveyor) or soil scientist, whose seals are affixed to the plan, as well as any holder of a conservation or agricultural easement)
			13. Mailing Labels (4 sets) Burbara will take cure
			PART II – REQUIRED PLANS AND RELATED DATA All Graphics and Plans Shall be to Scale and Dimensioned
			<ul> <li>1. Site Plan - Drawn and Stamped by Registered Land Surveyor</li> <li>a. 24" X 36" - 2 Copies</li> <li>b. 11' X 17" - 6 Copy</li> <li>c. 8 1/2 " X 11" - 1 Copy</li> </ul>
			<ul> <li>2. Elevations: Show all sides of building and indicate building heights</li> <li>a. 24" X 36" – 2 Copies</li> <li>b. 11' X 17" – 6 Copy</li> <li>c. 8 1/2 " X 11" – 1 Copy</li> </ul>
			3. Floor Plans a. 24" X 36" – 2 Copies b. 11' X 17" – 6 Copy c. 8 1/2 " X 11" – 1 Copy
			4. All drawings and any revised drawings must be submitted in PDF format
			5. OTHER:
			6. Your Appointment Date and Time for Submitting the Complete Application is:
ľ,	300 Staff S	Dan e Bignatur	Date LANDUSE OFFICE

Land Use Department

Town of Barrington; 137 Ramsdell Lane; Barrington, NH 03825

barrplan@metrocast.net

Phone: 603.664.5798

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# PART III – PROJECT DESCRIPTION/VARIANCE DETAILS

	Case No. 114-42-62-16-28 A Variance
	Project Name CHURCHILL COTTAGE
	Location Address 47 OTTER WAY BARRINGTON NH
	Map and Lot 114 42
	Zoning District (Include Overlay District if Applicable) General Residential
	Property Details:  ☐ Single Family Residential ☐ Multifamily Residential ☐ Manufactured Housing ☐ Commercial ☐ Mixed Use ☐ Agricultural ☐ Other
	Use: Residence (Sensonal)
	Number of Buildings: Height:22' 4'/4"
	Number of Buildings: Height: 22' 4'/4"  Setbacks: Front 50(66.3) Back 28.4' Side 52 Side 67  Existing 50' everhang of garage door roof - 66.3'  Description of Request
	Cite the Section of the Zoning Ordinance you are requesting a Variance or Special Exception for.  If this is an Appeal from an Administrative Enforcement Order, Planning Board Decision, or Zoning Board of Adjustment Decision, please attach pertinent documentation:
	Project Narrative: (Please type and attach a separate sheet of paper)
	see attached
1 1 . 7	see attached Variance betails
ticle 9 L	Barrington Zoning Ordinance Requirements: 5/10  34 Tuble 2 - 30' Reno Setback
indards bu a	11.3(1) Exemption from Regulations (pertaining to 11.2 - 75 shoreland
	Request: (You may type and attach a separate sheet of paper)
	request variance from 30' Rear setback. (34 Tuble 2) Standard request Exemption from 75' shoreline setbackAND USE OFFICE
	regrest Exemption from 75' shoreline setbackAND USE OFFICE
	Page 3 of 6 Revised 07/01/2013 IAN 2 3 2016

### PART IV - If this is a JUSTIFICATION FOR VARIANCE

The Zoning Board of Adjustment may not authorize a zoning ordinance variation unless ALL of the following criteria are met. Please provide evidence that the requested Variance complies by addressing the issues below.

1. Special conditions exist such that literal enforcement of the Ordinance will result in
unnecessary hardship to the applicant as defined under applicable law.
WHEREAS THE ZONING ORDINANCES CALL FOR A 2 ACRE MINIMUM LOT SIZE
THIS LOT OF RECORD IS . 44 ACRES, THEREBY MAKING IT PROBLEMATIC TO CONFORM TO THE SETBACKS.
CONFORM TO THE SETBACKS.
2. Granting the variance would be consistent with the spirit of the Ordinance.
THE PROJECT WILL ALLOW FOR THE COTTAGE TO BE REBUILT CLOSER
TO CODE. ADDITIONALLY THERE WILL BE AN UPGRADE TO THE QUALITOF STORMWATER AND WASTEWATER COMING OFF THE LOT.
3. Granting the variance will not result in diminution of surrounding property values.
THE PROPERTY WILL BE MODERNIZED AND WILL POSITIVELY
IMPACT SURROUNDING PROPERTIES.
Trend Jokkoolo Dziec Trend Like Like Like Like Like Like Like Like
4. Granting of the variance would do substantial justice.
GRANTING THE VARIANCE WILL AFFORD US THE ARTLITY TO
ENJOY INDOOR PLUMBING AND TO FEEL SAFER. ADDITIONALLY OUT WASTEWATER FOOTPRINT WILL BE REDUCED.
5. Granting of the variance would not be contrary to the public interest.
MODERNIZING THIS COTTAGE WILL REDUCE SAFETY AND HEALTH
MODERNIZING THIS COTTAGE WILL REDUCE SAFETY AND HEALTH ISSUES OFTEN ASSOCIATED WITH OLDER "FISHING CAMPS".
PART V – If this is a JUSTIFICATION FOR SPECIAL EXCEPTION
Please provide evidence that the requested Special Exemption complies by addressing the issues
below.
1. No detriment to property values in the vicinity of the proposed development will result on
account of: the location or scale of buildings, structures, parking areas, or other access ways; the
emission of odors, smoke, gas, dust, noise, glare, heat, vibration, or other pollutants; or unsightly
outdoor storage of equipment, vehicles, or other materials.
2. No hazard will be caused to the public or adjacent property on account of potential fire,
explosion, or release of toxic materials.
3. No creation of a traffic safety hazard or substantial traffic congestion will result in the vicinity
of the proposed development.

Page 4 of 6 Revised 06/15/2011

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☐ of the p	3. No creation of a traffic safety hazard or substantial traffic congestion will result in the vicinity proposed development.
disposa	4. No excessive demand on municipal services and facilities, including, but not limited to waste al, police and fire protection, and schools.
quality would r	5. The proposed use will not result in the degradation of existing surface and groundwater standards, nor will it have adverse effects on the natural functions of wetlands on the site that result in the loss of significant habitat or flood control protection.
except	ition to the guiding principles specified above, the ZBA may condition the granting of a special ion upon more stringent standards if the Board determines that such conditions are necessary rotect the health and welfare of the town and its residents. Such conditions may include the following and should be addressed in the Narrative:
Π	1. Front, side, or rear yards in excess of the minimum requirements of this Ordinance.
	<ol><li>Screening of the premises from the street or adjacent property by walls, fences, or other devices.</li></ol>
	3. Limitations on the size of buildings and other structures more stringent than minimum or m requirements of this Ordinance.
	4. Limitations on the number of occupants and methods and times of operation.
	5. Regulation of the design and location of access drives, sidewalks, and other traffic features.
	6. Location and amount of parking and loading spaces in excess of existing standards.
	7. Regulation of the number, size, and lighting of signs in excess of existing standards.
	Signature of Applicant  Date  1/25/2016  1/25/2016
Ċ	Signature of Owner LAND USE Date FIC

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## 3.4 Conditional Use Permits Issued by Planning Board

Following a public hearing on the proposed use, which may be combined with a public hearing held for a subdivision or site plan review application, the Planning Board may issue a Conditional Use Permit, if it finds, based on the information and testimony submitted with respect to the application, that conditions presented in this Section have been met. Granting of a Conditional Use Permit shall authorize the applicant to apply for a building permit and/or certificate of occupancy once all other applicable town, state and federal requirements have been complied with, including subdivision and/or site plan review approval.

- o The building, structure or use is specifically authorized under the terms of this Ordinance.
- o If completed, the development in its proposed location will comply with all requirements of this Ordinance, and with specific conditions or standards established in this Section for the particular building, structure or use.
- o The building, structure or use will not materially endanger the public health or safety.
- o The building, structure or use will not substantially de-value abutting property.
- o The building, structure or use will be compatible with the neighborhood and with adjoining or abutting uses in the area in which it is to be located.
- o The building, structure or use will not have a substantial adverse impact on highway or pedestrian safety.
- o The building, structure or use will not have a substantial adverse impact on the natural and environmental resources of the town.
- Adequate public utilities, community facilities, and roadway capacity are available to the property to ensure that the proposed use will not necessitate excessive public expenditures in providing public services.
- Where deemed necessary when considering an application for Conditional Use approval,
   the Planning Board may require that adequate visual buffers be established

Article 4
1 4.1, LM Minimum Standards

28.4

Table 2 Table of Dimensional Standards (a)								
Zoning District	Min. Lot Size	Min. Lot Frontage (ft.)	Min. Yard Setbacks (ft.)(i)			Max. Bldg. Height		Max. Lot Coverage (f)
Zoning District	<b>(sq.ft.)</b> (b)		Front	Side	Rear	Feet	Stories	
General Residential	80,000(c)	200	40	30	30	35	2.5	40%
Neighborhood Residential	80,000(c)	200	40	30	30	35	2.5	40%
Village District (Residential)	80,000(c)	200	40	30	30	35	2.5	40%
Village District (Non-Residential)	30,000(g)	75	20	15	15	40(j)	3	60%
Town Center	20,000(h)	40	20(k)	15	15	40(j)	3	80%
Regional Commercial	40,000(d)	200	75(e)	30	30	40(j)	3	50%

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## ARTICLE 11 - SHORELAND PROTECTION DISTRICT OVERLAY (SDO)

## 11.1 Purpose and Intent

The purpose of the Shoreland Protection District is to preserve the overall quality of surface waters, and their adjacent environs, in the Town of Barrington in order to protect the public health and maintain the ecological integrity associated with these resources. More specifically, the intent of the regulations established in this Article are to:

- Maintain the quality of surface waters to insure protection of groundwater and drinking water supplies; and
- o Conserve and protect the aquatic and terrestrial habitat associated with the town's rivers, lakes and ponds; and
- o Preserve and enhance the aesthetic values associated with shoreline areas in order to maintain the town's rural character; and
- o Encourage those uses that can be appropriately located adjacent to the town's surface water resources.

## 11.2 District Defined 75

No structure of any type including, by way of example and not by way of limitation, all buildings, garages, sheds, parking lots and driveways, may be constructed within seventy-five (75) feet of the shoreline of any year-round stream, or any lake or pond over two (2) acres.

For the Isinglass River this overlay zone shall consist of all properties located within one hundred (100) feet of the mean high water mark of the river, wherein no structure of any type including by way of example and not by way of limitation, all buildings, garages, sheds, parking lots, and driveways, may be constructed.



11.3 Exemptions from Regulations

Lots of record that existed prior to July 28, 1988 (which was the effective date of the original version of this provision) are exempt from these shoreland setback provisions to the extent that it can be demonstrated that conformance is impossible; however, any structure on such lots must conform as fully as possible.

Exemptions to the setback provisions of Section 11.2 of this Article shall be made for the installation of docks, floats and other structures that are customarily associated with the recreational use of water.



# **Project Application**

# Land Use Department

P.O. Box 660; 333 Calef Hwy, Barrington, NH 03825 + Phone: 603-664-5798 + Fax: 603-664-0188 Case Number: Project Name: CHURCHILL COTTAGE Date 25 Jun 2016 Staff Signature required PRIOR to submittal PRELIMINARY APPLICATION: Preliminary Conceptual Review \_\_\_\_ Design Review \_\_\_\_ Development of Regional Impact \_\_\_ FORMAL APPLICATION: Conservation Conventional Minor Subdivision Type: Major\_\_\_\_ Site Plan Review: Major\_\_\_ Minor Conditional Use Permit \_\_\_\_ Sign Permit \_\_\_\_ Boundary Line Adjustment \_\_\_\_ Special Permit \_\_\_\_ Change of Use \_\_\_\_ Extension for Site Plan or Subdivision Completion \_\_\_\_ Area (Acres or S.F) \_\_\_\_4 Amendment to Subdivision/Site Plan Approval \_\_\_\_ Other \_\_\_\_ Project Name: \_\_\_\_ CHURCHILL COTTAGE Project Address: 47 OTTER WAY BARRINGTON Current Zoning District(s): General Residential Map(s) 114 Request: Variance from 30' Rear / side set back FROM 75' SHORELAND SET BACK EXEMPTION The property owner shall designate an agent for the project. This person (the applicant) shall attend pre-application conferences and public hearings, will receive the agenda, recommendations, and case reports, and will communicate all case information to other parties as required. All contacts for this project will be made through the Applicant listed below. CHURCHILL Owner: JOHN & JUDITH Company E-mail: JJBSZ @ hotmail.com Phone: 603 - 969 - 1882 Address: 30 Old PISCATAQUA ROAD DURHAM Applicant (Contact): JOHN Company N/A E-mail: JJBSZ@hotmail.com Phone: 603-969-188Z Fax: BURHAM NH 03824 ROAd Address: 30 old Developer: N/A Company E-mail: Phone: \_\_\_ Address: Architect: JOHN CHURCHILL Company \_\_\_ E-mail: Fax: Phone: \_\_\_\_ Address: Engineer: MARK WEBB will send Company RICCI LUMBER Phone: 436-7480 JAN 23 2018 Applicant Signature Owner Signature 1/26/20160 2011) MA RECEIVED Staff Signature

# **TOWN OF BARRINGTON - LAND USE DEPARTMENT**

PROJECT NARRATIVE
PROJECT NAME CHURCHILL COTTAGE CASE FILE NUMBER 114-42-GR-16-ZBAVQuance
PROJECT LOCATION 47 OTTER WAY BARRINGTON INH
DATE OF APPLICATION 15 JAN Z016
Property Details:
Single-Family Residential Multi-Family Residential Commercial Industrial
Current Zoning: General Residential Lot Area Size . 44 Acres
Setbacks: Front 40 Side 30 Rear 30
Parking Spaces Required: 2 Parking Spaces Provided:
Please describe your project and its purpose and intent. You may attach a typed description.
See attached

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Proposed Churchill Cottage Project at 47 Otter Way Barrington, NH

Dear Barrington Selectmen;

Our intent is to modernize our cottage and within reason, to enlarge it as well as to "right size" some of the existing spaces. For safety reasons, we would also like to add a second exit, to install egress windows, and to bring the staircase up to code. Furthermore, we would like to continue to "improve" the relationship our lot has with Swains Lake by the addition of a septic system and some hardscape improvements for storm water collection/retention.

We would like to install a septic system for the purpose of having the modern convenience of indoor plumbing. A bathroom and a laundry room are proposed to be added off the back of the cottage.

The cottage currently has approximately 725 square feet of living space with another 150 square feet of screened porch. All rooms and the porch are small and there are no closets. A 20'x16' one car garage is proposed with storage/attic above. There will be minimum room inside the garage to allow for a second entrance and storage of garage "stuff". With the addition off the back, space will be freed up to: add closets in the bedrooms, add a mudroom in the area of the proposed second entrance, and rebuild the staircase to code. The kitchen, living room, and porch will remain unchanged.

Over the years, one of our objectives has been to improve the hardscape to mitigate runoff into the Lake. We have been very successful in obtaining our objective with one exception. During large downpours (3 inches or more), one area on the shore line overflows the berm. We are proposing through our Shoreline Application with the State, to install several hardscape improvements recommended by the DES.

We have made an attempt to keep our proposed building on the "small" side of normal for two reasons. Firstly, since we are asking for a variance, we wanted to minimize the intrusion into the rear 30 foot setback. Secondly, our lot is small and we want to maintain the "cottage" feel to the place.

We believe our project will provide a better and safer place for us to live. Additionally, the addition of a septic system and hardscape improvements will help to reduce the impact we have on Swains Lake.

Judo M. Churchell

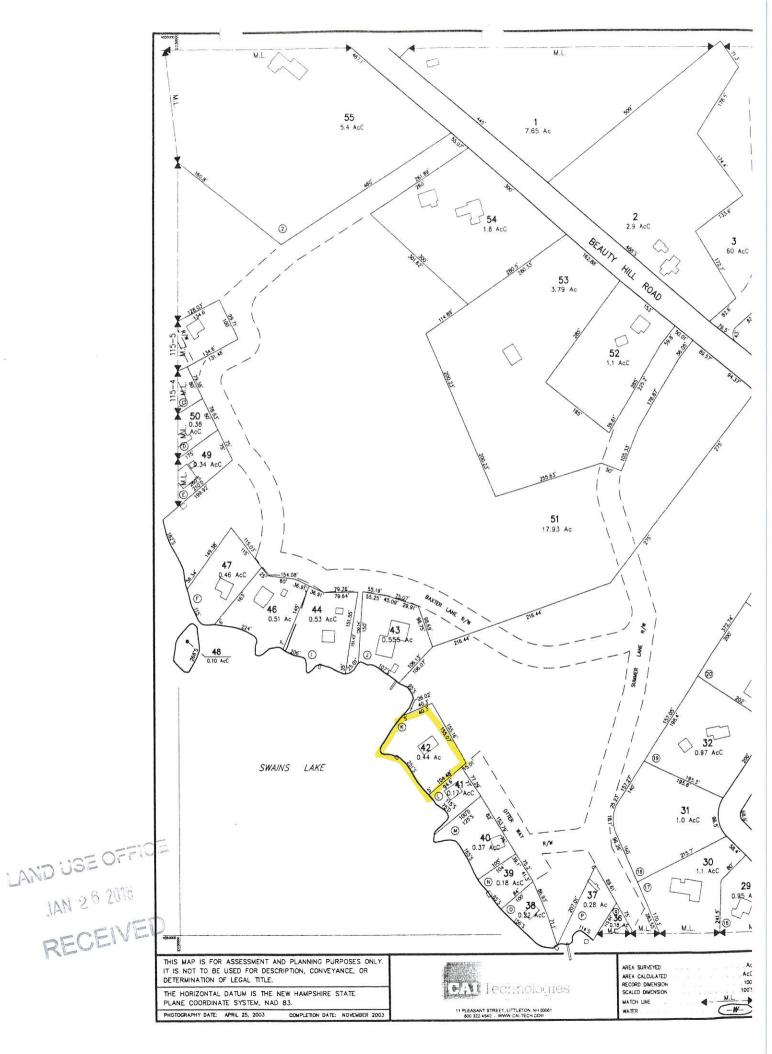
Sincerely;

John and Judie Churchill

Enc: NH Shoreline application cover letter

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### PROPOSED CHURCHILL COTTAGE VARIANCE DETAILS

January 25, 2016

Our objectives are: to get indoor plumbing, to enlarge the cottage to accommodate a bathroom and a laundry room, to bring the building closer to code by the addition of a second exit, egress windows, and a proper staircase. Additionally, a garage is desired along with the desire to right size certain rooms.

The Septic Designer, Susan Faretra, in conjunction with a certified soil scientist, Steve Riker, examined and surveyed our property. It was determined the septic system could only be installed in a small portion of our lot (see triangular area of exhibit A). A septic system was then designed for this area. No variances from the Town of Barrington are required for the septic.

After the septic system was designed, I attempted to fulfill my remaining goals. My expectations have been modified and reduced in order to meet as closely as feasible the Town's setback requirements. The building footprint was pulled back in the northwest corner to stay outside of 75 feet from the lake. The addition off the back has been pulled back from the 30 foot back setback to the point where inside room dimensions are at a minimum. This has left me with the addition sitting mostly out of the 30 foot setback. I feel I have made a reasonable attempt to meet the intent of this portion of the zoning ordinances.

I had originally wanted a 2 car garage, but it quickly became apparent, for many reasons, that this was impractical. Our intent is to now build a 20x16 foot one car garage. Although a 24 foot in length garage would fit with respect to the side setbacks, I determined a 20 foot long garage was more practical. This was after I took into consideration turning room as well as my desire to maintain the natural screen I planted next to the Hess' property. The 16 foot wide garage was pushed back as far as it will go into the septic field area in order to stay away from the Swains Lake as much as possible. This leaves the garage 28.4 feet from the back lot line in one corner. The other side of the garage is mostly inside of 69 feet from the Lake, but 66.3 feet from the Lake at its closest point (the garage door roof overhang).

I have reduced the footprint of the garage and I have pushed the one car garage as far from the Lake as possible. I believe our desire to have a one car garage is a reasonable expectation and it is not possible to situate it farther from the Lake. Pursuant to Section 11.3 of the Barrington Zoning ordinances, I am asking to be exempt from the 75 foot setback. Additionally, I am asking for a variance for the three areas of my proposed building that intrude on the 30 foot setback from the back lot line.

Sincerely;

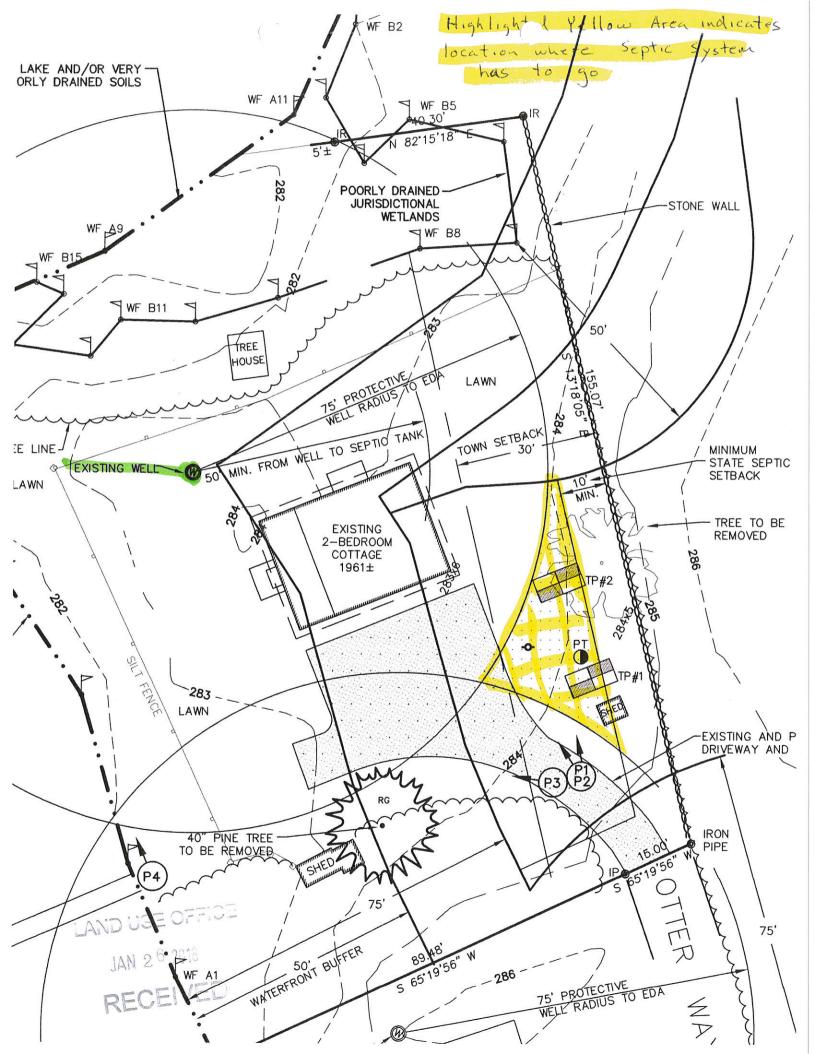
John Churchill

Jh E. Churchill

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### Dear Sirs:

I am seeking approval for modification to our Swains Lake property. I am proposing to add a septic system to my summer cottage along with an addition for a bathroom and laundry room. An oversized one car garage is also proposed.

Although I will be well under the 20% impervious limit, I would like to incorporate some DIY storm water LID techniques that are covered in your Homeowner Storm Water Management Publication. I will have heavy machinery on the property for my project and some small DIY projects will help reduce storm water runoff.

It is my intent to install rain gutters on approximately 60% of the roof. I will effectively capture and manage 100% of the roof storm water on the driveway/parking area side as well as 100% on the front/lakeside of the house. This water will be directed into a drywell and a rain garden.

Over the years I have altered the hardscape of our property to minimize the flow of surface water into Swains Lake. I have been very successful and I am able to capture a 2 inch rain event (non winter) in a 24 hour period. During this last summer, we had two rain events that approached 4 inches and my system failed in one area.

I have a low area protected by a shore front berm that works well to capture the storm water from five impervious areas: one third of my current roof, my driveway, my parking area, the area itself, and lastly my neighbors parking area. As mentioned earlier, it can capture a 2 inch rain event but was overwhelmed twice this summer.

I am proposing numerous point source projects to reduce the amount of water that reaches the low area near the shoreline. Although the topsoil on my property appears sandy, I have learned that there is a layer of organic material below the surface which is slowing down the vertical movement of storm water. Below this organic layer is a sandy subsoil. While building these projects, it is also my intent to break through and remove strategic areas of this organic material – essentially, I will be poking several "holes in the bucket". This will facilitate the movement of storm water both vertically and horizontally towards the Lake. I will replace the organic layer with 1 ½ - 2 inch trap rock, a layer of fabric, and then a surface material: either brick, gravel, or grass pavers – or just gravel. Surface materials will be chosen with long term maintenance in mind vs short term function.

The rain garden by the shed will necessitate the removal of a 2 ½ foot diameter white pine that is 55 feet from the shoreline. Additionally, I would like to "poke a hole" in the existing low area near the shoreline – approximately 3 feet in diameter/ 15 feet from the Lake.

Base depths for my proposed DIY projects will vary and will mostly be dependent on actual soil conditions as I dig. All DIY areas are designed with three fundamental objectives in mind: first, to create

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low areas to hold and to slow storm water movement towards the lake; second, to break through the organic layer and to replace it with trap rock; third, to be mindful of long term maintenance viability. It is my intention to optimize the above objectives by varying base depths and materials, by combining non-woven geotextile fabric where helpful for function and maintenance, and by varying surface materials as appropriate. All of these considerations and details are discussed in "New Hampshire Homeowner's Guide to Stormwater Management Do-It-Yourself Stormwater Solutions" by Jillian McCarthy.

In my opinion, my proposed project will only be reducing the pervious area of my lot by 150 square feet. My garage addition is proposed in the current parking area which I would categorize as semi impervious. The addition on the back will be covering a pervious area of approximately 150 square feet. Storm water runoff on the back of the camp has never been an issue. After 20 years of observing storm water runoff on my property, I believe I know how to improve my hardscape and successfully capture a 4 inch summertime rain event.

Along with the hardscape improvements, I believe my proposed addition, gutters, and the septic system will have an overall positive impact on my lot's relationship with Swains Lake. I plan on doing the construction in the Fall of 2016. Although there is no guarantee on the weather, I can already capture a 2 inch summertime rain event and therefore I believe my site construction will not have a short term negative impact on Swain's Lake. I look forward to your comments, suggestions, and approval. Please feel free to contact me directly to discuss my plans.

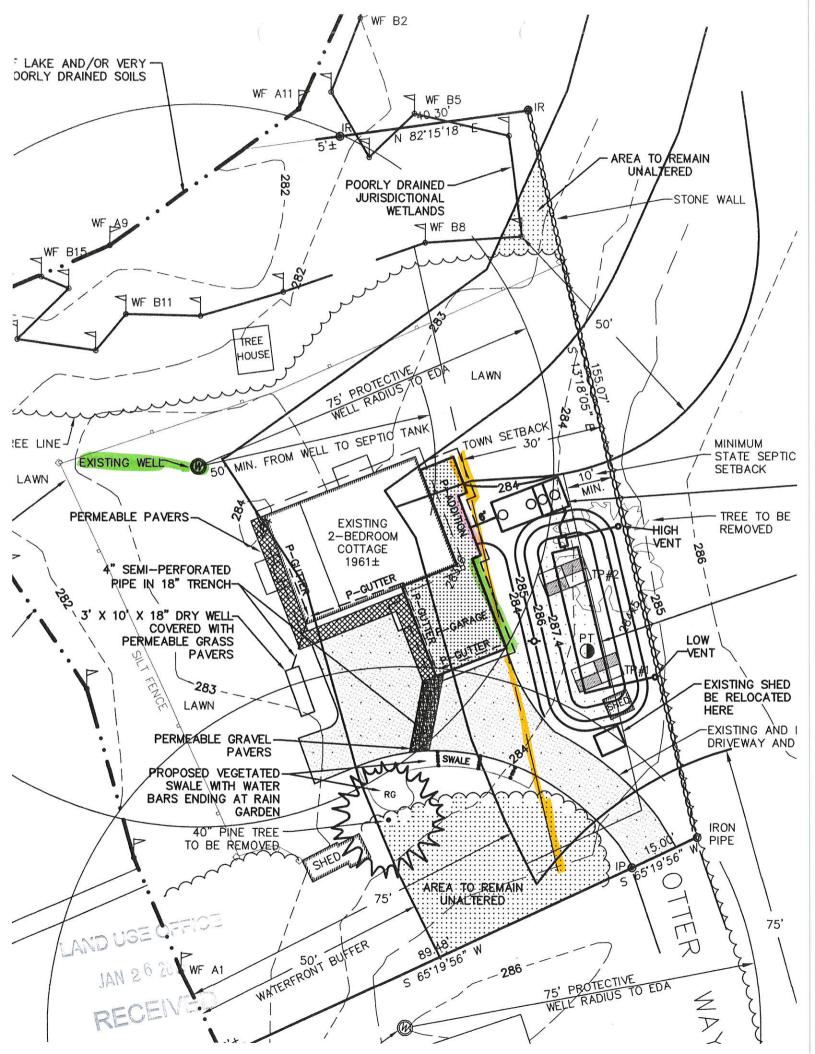
Sincerely:

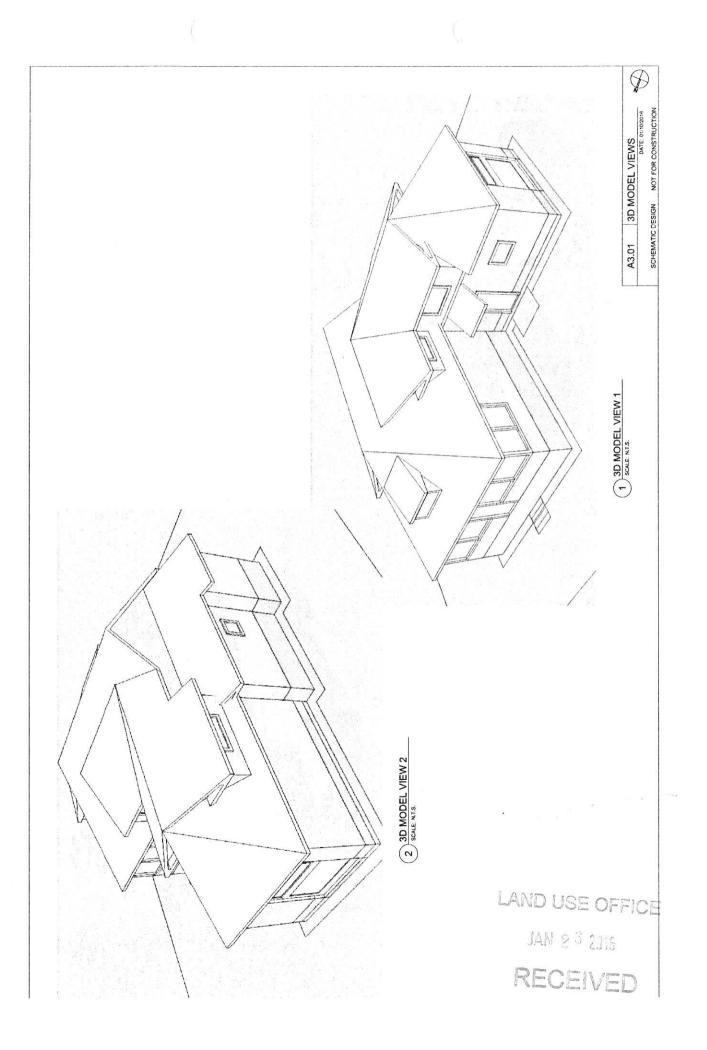
John Churchill

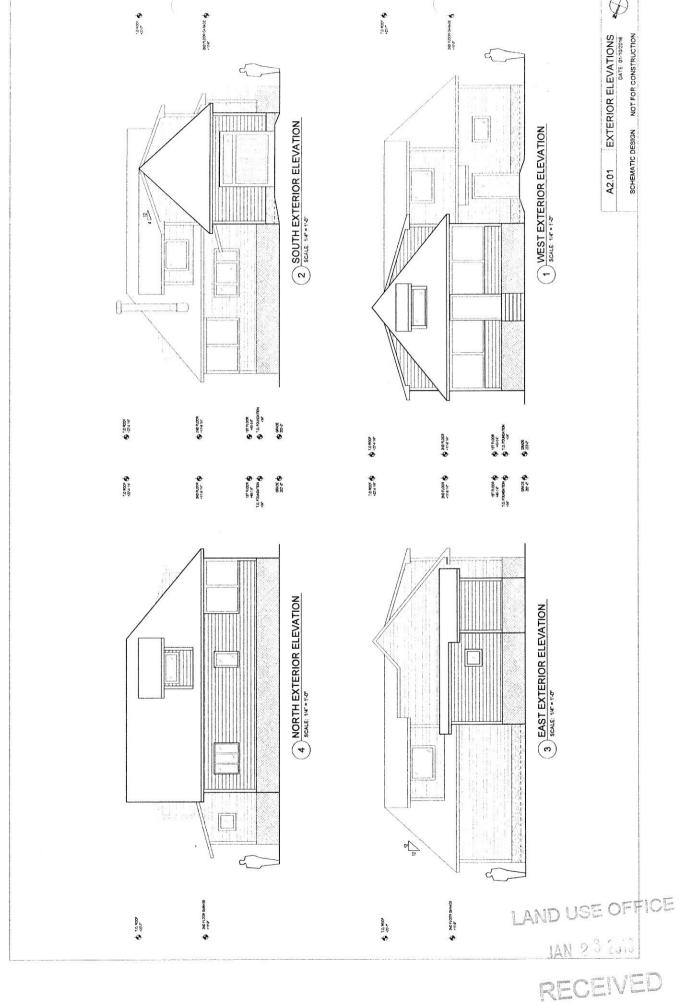
603 969 1882

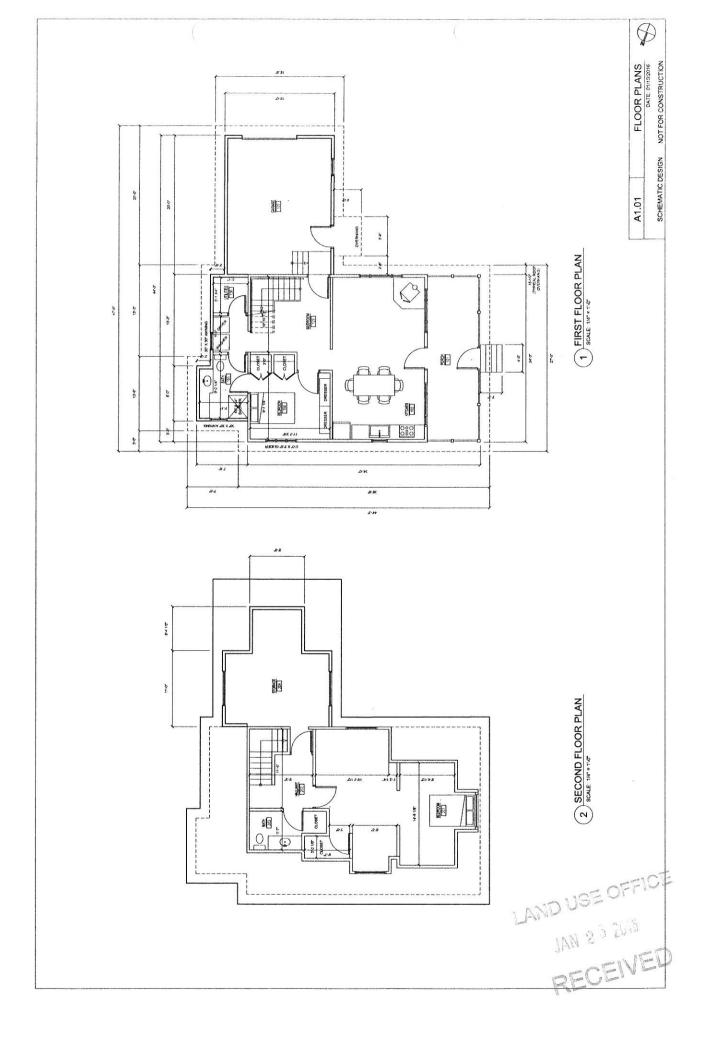
jjbsz@hotmail.com













East/Septic side



#2 East side



#4 East side

#3

East side

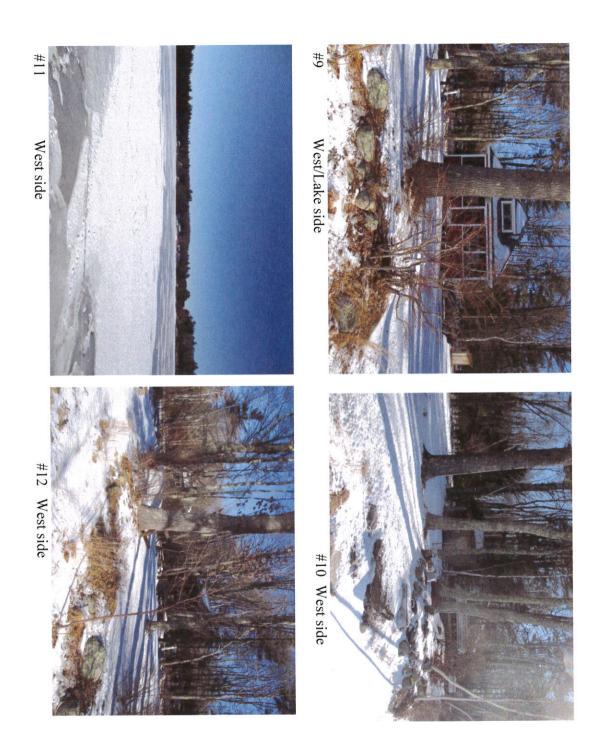
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East side - 50 feet from lot line





#18 East side - back to cottage

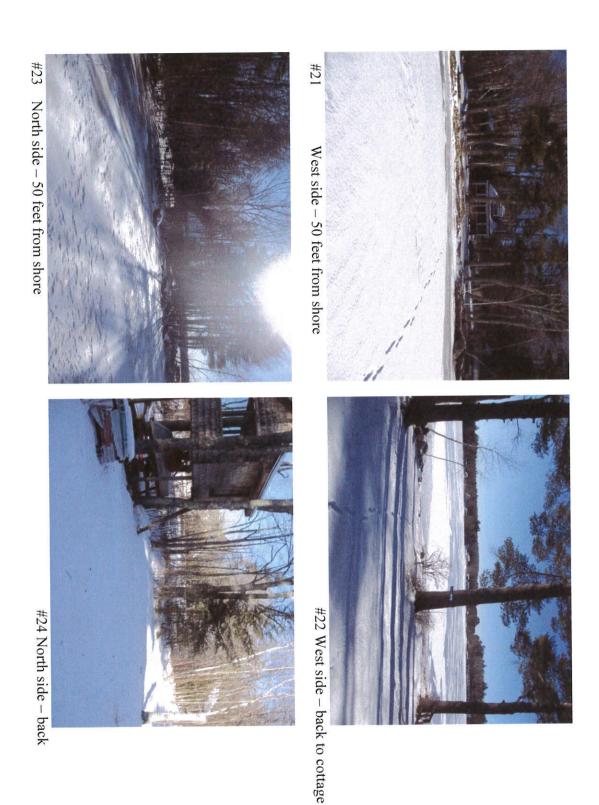
#20 South side - back to cottage

#19

South side – 20 feet from lot line

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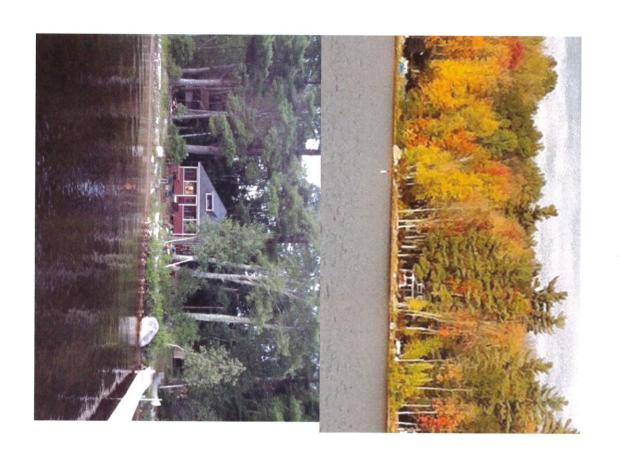
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